

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**MILO VACANTI,**

**Plaintiff,**

**VS.**

**SUNSET FINANCIAL SERVICES,  
INC., et al.,**

**Defendants.**

**8:09-cv-00044-LSC-FG3**

## ORDER

This case was stayed pending the Eighth Circuit's decision on the plaintiff's interlocutory appeal in related case No. 8:08cv436. Upon review of the Eighth Circuit's decision in *Lustgraaf v. Behrens*, 2010 WL 3271242 (8th Cir. Aug. 20, 2010), together with the court files in 8:08cv436 and the other related cases,

**IT IS ORDERED:**

1. Plaintiff's Motion to Lift Stay and for Leave to File an Amended Complaint (Doc. 36) is granted, and this case is no longer stayed.
2. Plaintiff shall file and serve the Amended Complaint no later than November 1, 2010. Defendants shall respond to the Amended Complaint within the time allowed by Fed. R. Civ. P. 15(a).

**DATED October 15, 2010.**

**BY THE COURT:**

**s/ F.A. Gossett, III**  
**United States Magistrate Judge**